

REMARKS

The specification has been amended herein to more accurately describe the applicants' invention.

Restriction Requirement

The examiner has requested restriction to what he believes in one of three inventions as follows:

- I. Claims 1-16, drawn to a hydrotherapy jet;
- II. Claims 17 and 18, drawn to a cap with a discharge member; and
- III. Claims 19-21, drawn to a method of providing hydrotherapy.

The examiner thereafter found that the application contains claims directed to the following patentably distinct species of the claimed invention:

Species I: Figs. 1-9; and

Species II: Figs. 10-11

Still thereafter the examiner found that upon election of Species I, a further election of one of the following sub-species is required:

Sub-species A: Fig. 2 (element 10); and

Sub-species B: Fig. 4.

Applicants' Election

Regarding the three inventions designated by the examiner, applicants disagree with the examiner's findings, but elect claims 1-16 for further prosecution.

Regarding Species I (Figs. 1-9) and Species II (FIGs. 10-

Appl. No. 10/661,475
Amdt. Dated April 3, 2005
Reply to Restr. Req. of December 3, 2004

11), applicants elect Species I for prosecution on the merits. Of the elected claims 1-16, claims 1-8 and 10-16 are readable on this elected species.

Regarding sub-species A (Fig. 2, element 10); and sub-species B (Fig. 4) it is noted that element 10 in both the designated subspecies is substantially the same. Fig. 2 shows the a sectional view of jet with element 10, while Fig. 4 shows the element 10 separate from the remainder of the jet. Applicants elect sub-species A, with claims 1-8 and 10-16 reading on this elected sub-species.

The non-elected claims have been withdrawn, leaving claims 1-8 and 10-16 pending in this application. Applicants submit that these claims are allowable, and notice to that effect is respectfully requested.

Respectfully submitted,



April 4, 2005

Jaye G. Heybl
Attorney for Applicants
Registration No. 42,661

Koppel, Jacobs, Patrick, & Heybl
555 St. Charles Drive, Suite 107
Thousand Oaks, CA 91360
Phone 805 373 0060
Fax 805 373 0051